

State of South Dakota

EIGHTY-NINTH SESSION LEGISLATIVE ASSEMBLY, 2014

192V0604

HOUSE BILL NO. 1232

Introduced by: Representatives Nelson, Campbell, Greenfield, Hickey, Kaiser, Latterell, May, Stalzer, and Steele and Senators Jensen, Maher, Otten (Ernie), and Welke

1 FOR AN ACT ENTITLED, An Act to clarify certain provisions relating to the issuance of
2 permits for outdoor advertising signs, displays, or devices.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That chapter 31-29 be amended by adding thereto a NEW SECTION to read as
5 follows:

6 The Department of Transportation may not deny a permit for a sign, display, or device for
7 outdoor advertising purposes that is to be legally erected and maintained pursuant to this chapter
8 to any applicant who has met all state and local government requirements for the issuance of the
9 permit. The department may not deny a permit based on the department's assessment that a
10 zoning action made by a local government unit was taken primarily to permit outdoor
11 advertising structures or that the action was not part of a comprehensive zoning action. The
12 department may not deny a permit based on the department's assessment that an official action
13 made by a local government unit was defective, unless the matter has been decided by
14 appropriate legal action in the circuit court.

